

Express Mail No. EV 224562624 US

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

4

Complete If Known

Application Number	10/702,210
Filing Date	11/05/2003
First Named Inventor	Yoseph Yaacobi
Art Unit	1615
Examiner Name	Carlos Arzpira
Attorney Docket Number	2101F US

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
(N)	A1	US- 3,416,530	12/17/1968	R. A. Ness	
	A2	US- 3,828,777	08/13/1974	R. A. Ness	
	A3	US- 4,014,335	03/29/1977	Arnold	
	A4	US- 4,300,557	11/17/1981	Refojo et al.	
	A5	US- 4,327,725	05/04/1982	Cortese et al.	
	A6	US- 4,853,224	08/01/1989	Wong	
	A7	US- 4,946,450	08/07/1990	Erwin	
	A8	US- 4,997,652	03/05/1991	Wong	
	A9	US- 5,147,647	09/15/1992	Darougar	
	A10	US- 5,164,188	11/17/1992	Wong	
	A11	US- 5,178,635	01/12/1993	Gwon et al.	
	A12	US- 5,300,114	04/05/1994	Gwon et al.	
	A13	US- 5,322,691	06/21/1994	Darougar et al.	
	A14	US- 5,378,475	01/03/1995	Smith et al.	
	A15	US- 5,403,901	04/04/1995	Namdaran et al.	
	A16	US- 5,443,505	08/22/1995	Wong et al.	
	A17	US- 5,466,233	11/14/1995	Weiner et al.	
	A18	US- 5,466,466	11/14/1995	Muller	
	A19	US- 5,476,511	12/19/1995	Gwon et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
(N)	A20	EP 0 904 787	03/31/1999	Santen Pharm Co	
	A21	DE 40 22 553	01/23/1992	H. Hund	
	A22	RU 2149615	05/27/2000	Nesterov	✓
	A23	WO 94/05257	03/17/1994	Allergan, Inc.	
	A24	WO 95/26734	10/12/1995	Freeman	
	A25	WO 95/28984	11/02/1995	Esscalon Ophtha	

Examiner Signature	Date Considered
<i>Frederick</i>	12/16/06

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.4. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

of

4

Complete If Known

Application Number	10/702,210
Filing Date	11/05/2003
First Named Inventor	Yoseph Yaacobi
Art Unit	1615
Examiner Name	Carlos Azpuru

Attorney Docket Number

2101 F US

Examiner Initials*	Cite No. ¹	U. S. PATENT DOCUMENTS		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Document Number Number-Kind Code ² (If Known)	Publication Date MM-DD-YYYY	
CBP	B1	US- 5,516,522	05/14/1996	Peyman et al.
	B2	US- 5,632,984	05/27/1997	Wong et al.
	B3	US- 5,679,666	10/21/1997	Clark
	B4	US- 5,710,165	01/20/1998	Kapin et al.
	B5	US- 5,725,493	03/10/1998	Avery et al.
	B6	US- 5,743,274	04/28/1998	Peyman
	B7	US- 5,766,242	06/16/1998	Wong et al.
	B8	US- 5,766,619	06/16/1998	Aiache et al.
	B9	US- 5,770,592	06/23/1998	Clark
	B10	US- 5,773,019	06/30/1998	Ashton et al.
	B11	US- 5,797,898	08/25/1998	Santini, Jr. et al.
	B12	US- 5,824,072	10/20/1998	Wong
	B13	US- 5,824,073	10/20/1998	Peyman
	B14	US- 5,830,173	11/03/1998	Avery et al.
	B15	US- 5,836,935	11/17/1998	Ashton et al.
	B16	US- 5,902,598	05/11/1999	Chen et al.
	B17	US- 5,904,144	05/18/1999	Hammang et al.
	B18	US- 5,916,584	06/29/1999	O'Donoghue
CA	B19	US- 6,001,386	12/14/1999	Ashton et al.

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document		Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁴
		Country Code ³ -Number ⁴ -Kind Code ⁵ (If Known)	Publication Date MM-DD-YYYY		
CBP	B20	WO 96/36377	11/21/1996	Optonol Ltd.	
	B21	WO 97/14415	04/24/1997	F. H. Faulding	
	B22	WO 98/23228	06/04/1998	Alza Corp.	
	B23	WO 98/43611	10/08/1998	Alza Corp.	
	B24	WO 99/07418	02/18/1999	Allergan Sales	
CA	B25	WO 99/11244	03/11/1999	Control Del Sys	

Examiner Signature

Carlos Azpuru

Date Considered

12/16/04

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

3

of

4

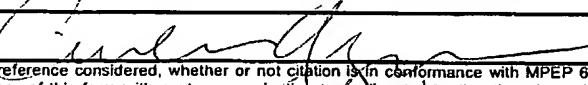
Complete If Known

Application Number	10/702,210
Filing Date	11/05/2003
First Named Inventor	Yoseph Yaacobi
Art Unit	1619
Examiner Name	Carlos Azpuru
Attorney Docket Number	2101 F US

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
CA	C1	US- 6,074,661	06/13/2000	Olejnik et al.	
	C2	US- 6,110,485	08/29/2000	Olejnik	
	C3	US- 6,126,687	10/03/2000	Peyman	
	C4	US- 6,146,366	11/14/2000	Schachar	
	C5	US- 6,217,895	04/17/2001	Guo et al.	
	C6	US- 6,375,972	04/23/02	Guo et al.	
	C7	US- 6,378,526	04/30/2002	Bowman et al.	
	C8	US- 6,397,849	06/04/2002	Bowman et al.	
	C9	US- 6,413,245	07/02/2002	Yaacobi et al.	
	C10	US- 6,413,540	07/02/2002	Yaacobi	
	C11	US- 6,416,777	07/09/2002	Yaacobi	
	C12	US- 6,669,950	12/30/03	Yaacobi	
	C13	US- 4,624,848	11/25/1986	Lee	
	C14	US- 2002/188,282	12/12/02	Greenberg	
CA	C15	US- 2003/175,324	09/18/2003	Robinson et al.	
	C16	US-			
	C17	US-			
	C18	US-			
	C19	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)				
CA	C20	WO 99/32104	07/01/1999	Alcon Labs		
	C21	WO 99/45920	09/16/1999	Johns Hopkins		
	C22	WO 00/37066	06/29/2000	Johns Hopkins		
	C23	WO 00/56340	03/22/2000	Control Del Sys		
	C24	WO 01/49226	07/12/2001	Univ of Sydney		
CA	C25	WO 02/100318	02/19/2002	Johns Hopkins		

Examiner Signature		Date Considered	12/11/04
--------------------	---	-----------------	----------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known	
				Application Number	10/702,210
				Filing Date	11/05/2003
				First Named Inventor	Yoseph Yaacobi
				Art Unit	1615
				Examiner Name	Carlos A. Zapiur
Sheet	4	of	4	Attorney Docket Number	2101 F US

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
CA	D1	"Bausch & Lomb and Control Delivery Systems Agree to Develop Breakthrough Therapeutic Products for Severe Eye Diseases;" Business Wire via First; NewsEdge Corp.; 06/15/1999; 4 pp			
	D2	"Method of Placing Irrigation System into Tenon's Space," E.I. SIDORENKO, et al., Abstract of Russian Patent No. RU 2123314, Issued 12/20/1998, 1 pg.			
	D3	"A New method for Posterior Sub-Tenon's Drug Administration," NESTEROV, et al., Ophthalmic Surgery, Vol. 24, No. 1, January 1993, pp. 59-61			
	D4	DIALOG File 266:FEDRIP database record; Identifying No. 122098; "Implantation of a Sub-Tenon Drug Delivery Device Loaded with a Test Article in Rabbits and Distribution of the Test Article in Ocular Tissues;" Compiled and distributed by NTIS; 1 page; 06/03/1999			
	D5	DIALOG File 266: FEDRIP database record; Identifying No. 134284; "Implantation of a Sub-Tenon Drug Delivery Device Loaded with a Test Article in Rabbits and Distribution of the Test Article in Ocular Tissues;" Compiled and distributed by NTIS; 1 page			
ON	D6	DIALOG File 266: FEDRIP database record; Identifying No. 131476; "Ocular Bioavailability of AL-3789 and AL-4940 after Sub-Tenon's Injection of AL-3789 Ophthalmic Suspensions in New Zealand White Rabbits;" Compiled and distributed by NTIS; 1 page			
	D7				
	D8				
	D9				
	D10				

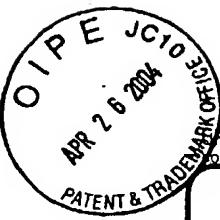
Examiner Signature		Date Considered	12/16/04
--------------------	--	-----------------	----------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

		Complete If Known	
Application Number	10/702,210	Filing Date	11/05/03
First Named Inventor	YAACOBI	Art Unit	1615
Examiner Name	Carley Azpuru	Attorney Docket Number	2101.F.US

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US- 6,719,750	04/13/2004	Varner et al.	
	A2	US-			
	A3	US-			
	A4	US-			
	A5	US-			
	A6	US-			
	A7	US-			
	A8	US-			
	A9	US-			
	A10	US-			
	A11	US-			
	A12	US-			
	A13	US-			
	A14	US-			
	A15	US-			
	A16	US-			
	A17	US-			
	A18	US-			
	A19	US-			
	A20	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T8
	A21					
	A22					
	A23					
	A24					
	A25					
	A26					
	A27					
	A28					
	A29					
	A30					

Examiner
Signature

Date
Considered

12/16/04

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.